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HILTON RESORTS CORPORATION
9 ERRONEOUSLY SUED AS HILTON GRAND
VACATIONS CLUB, LLC

10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 BARBARA DUBOSE, an Individual,
13 Plaintiff,

14 v.

15 HILTON GRAND VACATIONS CLUB, LLC,
a Foreign Limited-Liability Company; DOES 1
16 Through 25, inclusive; and ROE
CORPORATIONS 1 Through 25, inclusive,
17 Defendants.

Case No. 2:24-cv-00648-GMN-DJA

**STIPULATED DISCOVERY PLAN AND
SCHEDULING ORDER**

**(SUBMITTED IN COMPLIANCE WITH
LR 26-1(b))**

18
19 Plaintiff, BARBARA DUBOSE (“Plaintiff”), and Defendant, HILTON RESORTS
20 CORPORATION ERRONEOUSLY SUED AS HILTON GRAND VACATIONS CLUB, LLC
21 (“Defendant”), submit this Stipulated Discovery Plan and Scheduling Order pursuant to Federal
22 Rule of Civil Procedure 26(f) and Local Rule 26-1(b).

23 **1. Fed. R. Civ. P. 26(a) Initial Disclosures:**

24 Pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule of Court 26-1(a), on May
25 10, 2024, counsel for Plaintiff, Christian Z. Smith, Esq., and counsel for Defendant, Michael D.
26 Dissinger, Esq., conducted a meeting to discuss the relevant issues for discovery, possible early
27 resolution of the matter and other pertinent issues. Plaintiff served her initial disclosures on April
28 8, 2024. Pursuant to counsel’s discussions, Defendant will serve its initial disclosures on or before

1 May 24, 2024.

2 **2. Discovery Cut-Off Date:**

3 The parties request a discovery period of one hundred and eighty (180) days from April 10,
4 2024, the date Defendant filed its Motion to Partially Dismiss Plaintiff's Amended Complaint (ECF
5 No. 8). Accordingly, all discovery must be completed no later than **Monday, October 7, 2024.**

6 **3. Amending the Pleadings and Adding Parties:**

7 The date for filing motions to amend the pleadings or to add parties shall not be later than
8 ninety (90) days prior to the discovery cut-off date and, therefore, not later than **Tuesday, July 9,**
9 **2024.**

10 **4. Fed. R. Civ. P. 26(a)(2) Disclosures (Experts):**

11 In accordance with Rule 26(a)(2), initial disclosures identifying experts shall be made sixty
12 (60) days prior to the discovery cut-off date, and therefore, not later than **Thursday, August 8,**
13 **2024,** and disclosures identifying rebuttal experts shall be made thirty (30) days after the initial
14 disclosure of experts and, therefore, not later than **Monday, September 9, 2024.**¹

15 **5. Dispositive Motions:**

16 The parties shall file dispositive motions not more than thirty (30) days after the discovery
17 cut-off date and, therefore, not later than **Wednesday, November 6, 2024.** In the event that the
18 discovery period is extended from the discovery cut-off date set forth in this Stipulated Discovery
19 Plan and Scheduling Order, the date for filing dispositive motions shall be extended for the same
20 duration, to be no later than thirty (30) days from the subsequent discovery cut-off date.

21 **6. Pretrial Order:**

22 The Pretrial Order shall be filed by **Friday, December 6, 2024,** which is not later than thirty
23 (30) days after the date set for filing dispositive motions. In the event dispositive motions are filed,
24 the date for filing the Pretrial Order shall be suspended until thirty (30) days after the decision of
25 the dispositive motions or until further order of the Court. In the further event that the discovery
26 period is extended from the discovery cut-off date set forth in this Stipulated Discovery Plan and
27 Scheduling Order, the date for filing the Pretrial Order shall be extended in accordance with the

28 ¹ The original date falls on a Saturday. Therefore, the deadline is moved to the following Monday.

time period set forth in this paragraph.

7. Fed. R. Civ. P. 26(a)(3) Disclosures:

The disclosures required by Fed. R. Civ. P. 26(a)(3) and any objection thereto shall be included in the Pretrial Order.

8. Alternative Dispute Resolution:

The parties certify they have met and conferred about the possibility of using alternative dispute resolution processes, including mediation, arbitration, and early neutral evaluation. This case has been assigned to the Early Neutral Evaluation (“ENE”) Program with Judge Maximiliano D. Couvillier, III as the evaluating judge. **ECF No. 7.** The ENE is currently scheduled for **Tuesday, July 9, 2024.** *Id.*

9. Alternative Forms of Case Disposition:

The parties certify they have considered consent to trial by a magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use of the Short Trial Program (General Order 2013-01) and do not elect these options at this time.

10. Electronic Evidence:

The parties certify they have discussed whether they intend to present evidence in electronic format to jurors for the purposes of jury deliberations. Discussions between the parties will be ongoing as the trial date approaches and they stipulate that they intend to present any electronic evidence in a format compatible with the court's electronic jury evidence display system.

11. Extensions or Modifications of the Discovery Plan and Scheduling Order:

In accordance with Local Rule 26-3, a stipulation or motion for modification or extension of this discovery plan and scheduling order must be made no later than twenty-one (21) days before the expiration of the subject deadline.

12. Subjects and Order of Discovery:

The parties agree that there is no need for discovery to be conducted in phases or to be limited or focused upon particular issues. At this point, the parties anticipate conducting discovery on all discoverable matters relevant to issues raised by the Complaint, and any subsequent pleadings, consistent with the Federal Rules of Civil Procedure and the Local Rules of the District

1 of Nevada.

2 **13. Electronic Service:**

3 The parties agree that pursuant to Rule 5(b)(2)(E) of the Federal Rules of Civil Procedure
4 any discovery requests and responses may be served by sending such documents by email to the
5 primary email addresses for all counsel of record. The format to be used for attachments to any
6 email message shall be Microsoft Word (.doc) or Adobe Acrobat (.pdf). To the extent discovery
7 requests are served on a Saturday, Sunday, or legal holiday, service will be deemed effective on the
8 next day that is not a Saturday, Sunday, or legal holiday. For electronic service to be effective as
9 to Plaintiff, electronic service shall be contemporaneously sent to Plaintiff's counsel at:
10 pkang@acelawgroup.com, csmith@acelawgroup.com, as well as Hailei Musso at
11 hmusso@acelawgroup.com, unless otherwise amended in writing by Plaintiff. For electronic
12 service to be effective as to Defendant, electronic service shall be contemporaneously sent to
13 Defendant's counsel at: AThompson@littler.com and MDissinger@littler.com, as well as Joanne
14 Conti at JConti@littler.com and Erin Melwak at EMelwak@littler.com, unless otherwise amended
15 in writing by Defendant.

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1 **14. Changes and Limitations on Discovery:**

2 No changes in limitations, other than as specified herein, set by either the Federal Rules of
3 Civil Procedure or Local Rules for the District of Nevada are requested at this time, but the parties
4 reserve the right to stipulate to modification of the scheduling order set forth herein consistent with
5 Local Rule 26-3.

6 Dated: May 17, 2024

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8 Respectfully submitted,

Respectfully submitted,

9
10 /s/ Christian Z. Smith

/s/ Michael D. Dissinger

11 Patrick W. Kang, Esq.

Amy L. Thompson, Esq.

12 Kyle R. Tatum, Esq.

Michael D. Dissinger, Esq.

13 Christian Z. Smith, Esq.

LITTLER MENDELSON P.C.

14 Paul H. Wolfram, Esq.

Attorneys for Defendant

KANG & ASSOCIATES, PLLC

HILTON RESORTS CORPORATION

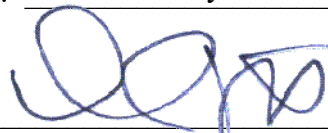
ERRONEOUSLY SUED AS HILTON

GRAND VACATIONS CLUB, LLC

Attorneys for Plaintiff
BARBARA DUBOSE

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17 **IT IS SO ORDERED.**

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19 Dated: May 20, 2024.

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22 UNITED STATES MAGISTRATE JUDGE